

3rd November 1933]

APPENDIX I

[Vide answer to question No. 303 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 3rd November 1933, page 401 supra.]

Annexure I.

Year of selection.	Number selected.	Community to which the selected officer belongs.	Whether or not the selected officer is the son of		
			Police official.	Other official.	Non-official.
(1)	(2)	(3)	(4)	(5)	(6)
* (1) Assistant Superintendents of Police.					
1928	1	Christian	..	..	Yes
1929	1	Anglo-Indian	..	..	Yes
1930	2	{ One Non-Brahman Hindu (Kalinga).	..	Yes	..
1931	1	One Muhammadan	..	..	Yes
1932	1	Non-Brahman Hindu (Nayar) ..	..	..	Yes
1933	2	{ One Non-Brahman Hindu (Mukkuva).	..	Yes	..
		One Muhammadan	Yes	..	..
(2) Deputy Superintendents of Police.					
1928	Nil		..	..	..
1929	2	{ One Non-Brahman Hindu (Nayudu).	Yes	..	..
1930	1	One Muhammadan	Yes	..	..
1931	2	{ Christian †	..	..	Yes
		One Non-Brahman Hindu (Setti Baliga).	..	..	Yes
1932	Nil	One Brahman	..	Yes	..
1933	1	Parsi	..	..	Yes

* The figures given in column (2) under Assistant Superintendents of Police exclude those recruited in England. Their numbers are:—

Year.	Number recruited.	Community.
1928	2	European.
1929	1	Do.
1931	2	Do.
1932	2	Do.

Information as to the occupation of the parents of those recruits is not available.

† Probation since terminated.

[3rd November 1933]

*Annexure II.**The Indian Police (Recruitment) Rules, 1927, as subsequently amended.*

PART I.

METHODS OF RECRUITMENT.

1. These rules may be called the Indian Police Service (Recruitment) Rules, 1927.

2. The Indian Police Service shall be recruited by the following methods:—

(a) By Competitive Examination in England, in accordance with Part II of these rules and such supplementary regulations as may be prescribed by the Secretary of State in Council.

(b) By Competitive Examination in India in accordance with Part III of these rules and such supplementary regulations as may be prescribed by the Governor General in Council.

(c) By the appointment in accordance with Part IV of these rules of persons selected in India otherwise than by General Competitive Examination.

(cc) By Limited Competitive Examination in India in accordance with Part III-A of these rules.

(d) By the promotion in accordance with Part V of these rules on the recommendation of Local Governments of members of Provincial Police Services.

(e) By the transfer or promotion in accordance with Part VI of these rules of an officer belonging to a branch of Government Service in India other than a Provincial Police Service.

3. (1) All appointments to the Indian Police Service shall be made by the Secretary of State for India in Council.

(2) No appointment shall be made to the Indian Police Service by any method not specified in Rule 2.

(3) Subject to the provisions of sub-rule (2) the method or methods of recruitment to be employed for the purpose of filling any particular vacancies in the Indian Police Service or such vacancies therein as may be required to be filled during any particular period, and the number of candidates to be recruited by each method, shall be determined by the Secretary of State in Council.

PART II.

APPOINTMENT BY COMPETITIVE EXAMINATION IN ENGLAND.

4. Candidates shall have attained the age of 19 and shall not have attained the age of 21 on the first day of August in the year in which the examination is held. They shall be unmarried, and if they marry before reaching India shall forfeit their appointments.

3rd November 1933]

5. No person shall be eligible for admission to the examination who is not a male and does not satisfy the Secretary of State for India in Council—

(a) that his character is such as to qualify him for employment in the Indian Police Service, and

(b) that he is a British subject of non-Asiatic domicile whose father (if alive) is a British subject, or (if dead) was at the time of his death either a British subject, or a person in the permanent service of the Crown, or a person who had retired from that service:

Provided that in the case of a male British subject the requirements of clause (b) of this Rule may be waived by the Secretary of State in Council if he is satisfied that their observance would occasion exceptional hardship, and the candidate is so closely connected by ancestry or upbringing with his Majesty's dominions as to justify special treatment.

PART III.

APPOINTMENT BY GENERAL COMPETITIVE EXAMINATION IN INDIA.

6. A candidate must be a male and either—

(i) A British subject of Indian domicile whose father (if alive) is a British subject, or a subject of a State in India, or (if dead) was at the time of his death either a British subject or a subject of a State in India, or a person in the permanent service of the Crown, or a person who had retired from that service, or

(ii) a ruler or a subject of a State in India in respect of whom the Governor General in Council has made a declaration under section 96-A of the Government of India Act:

Provided that in the case of a British subject the requirements of this rule may be waived by the Secretary of State in Council if he is satisfied that their observance would occasion exceptional hardship, and the candidate is so closely connected by ancestry or upbringing with His Majesty's dominions as to justify special treatment.

7. A candidate must be in good mental and bodily health and free from any physical defect likely to interfere with the efficient performance of the duties of a member of the Indian Police, and a candidate who is found after examination by a Medical Board not to satisfy these requirements will not be admitted to the Competitive Examination.

8. A candidate must satisfy the Public Service Commission that his character is such as to qualify him for employment in the Indian Police Service.

9. A candidate must have attained the age of 21 and not have attained the age of 24 on the first day of August in the year in which he is selected for admission to the Competitive Examination.

10. A candidate must hold a Degree of a University approved by the Governor General in Council or have passed the Diploma Examination in the 1st or 2nd Division from the Aitchison College, Lahore, the Mayo College, Ajmer, the Daly College, Indore, the Rajkumar

[3rd November 1933]

College, Rajkot, or the Rajkumar College, Raipur, or have passed the Cambridge School Certificate examination. In exceptional cases the Public Service Commission may, on the recommendation of the Local Government, treat as a qualified candidate a candidate who, though not possessing any of the foregoing qualifications, has passed examinations conducted by other institutions of a standard which in the opinion of the Public Service Commission justifies his admission to the examination.

11. (1) For the purposes of the examination the Governor General in Council shall constitute selection areas, and every candidate shall be assigned to an area, in which he is resident or in which he is treated as resident.

(2) For the purpose of these rules a candidate is resident in a selection area in which his parents reside at the time of his application, or have previously resided for a period of not less than three years or in which he has himself resided (otherwise than as a student of a University only) for a like period, but the Public Service Commission may in special circumstances allow a candidate to be treated as resident in a selection area in which he is not resident:

Provided that a candidate shall not be treated as resident in Burma unless at the date of his birth and at the time of making his application he was domiciled in Burma.

(3) A candidate resident in a State in India shall be treated as resident in the selection area in which he wishes to serve, provided that the Public Service Commission may in special circumstances treat such candidate as resident in some other selection area.

(4) No candidate shall in any year be treated as resident in more than one selection area.

12. (1) In each selection area a Selection Committee shall be constituted by the Local Government and shall perform in accordance with arrangements made by the Local Government and approved by the Public Service Commission the functions hereinafter assigned to it. Every Selection Committee shall include at least one unofficial member. The Public Service Commission shall be entitled to appoint one of their members to act as a member of any Selection Committee.

(2) For the purpose of this rule the Local Government means in the case of the North-West Frontier Province the Chief Commissioner and in other cases the Local Government of the Governor's province which constitutes, or is included in, the selection area.

(3) The Selection Committee shall examine every application from a candidate assigned to the area for which they have been constituted who has passed the Medical Board, and shall interview every candidate who appears to be qualified under these rules for appointment to the Indian Police Service.

(4) The Selection Committee shall make a list of those persons whom they recommend for admission to the examination. They shall include in the list no candidate whom, having regard to his personality, character and general suitability as shown by his previous career, they do not consider in all respects suited for appointment to the Indian

3rd November 1933]

Police Service in the selection area. They shall also exclude from the list any candidate with regard to whom they are satisfied that he will not qualify in the written examination. The Selection Committee shall award, in respect of the interview to those candidates whom they recommend for admission to the examination, marks not exceeding the number of marks mentioned in the regulations made under these rules and the marks so awarded shall be added to the marks gained at the written examination.

(5) Each Selection Committee shall send its list of recommended candidates to the Local Government, who shall forward it to the Public Service Commission with such observations as they may desire to make. The candidates so recommended shall be admitted to the examination unless they are disqualified under the rules or are excluded by the Public Service Commission on the recommendation of the Local Government. To every candidate selected for admission to the examination, the Public Service Commission shall give a certificate of having been so selected and no person to whom such certificate has not been given shall be admitted to the examination.

13. No recommendations except those invited in the form of application will be taken into consideration. Any attempt on the part of a candidate to obtain support for his application by other means may disqualify him for selection.

14. The Competitive Examination shall be conducted in accordance with regulations made by the Governor General in Council and such fees may be charged to candidates as may be prescribed in those regulations.

15. A list of the candidates shall be made out for each area in order of their proficiency as disclosed by the aggregate marks finally awarded to each candidate and in that order so many of the candidates up to the determined number of appointments in each area as are found by the Public Service Commission to be qualified by examination shall be declared to be successful candidates for the Indian Police Service, provided that the Governor General in Council is satisfied that they are duly qualified in other respects.

PART IIIA.

APPOINTMENT BY LIMITED COMPETITIVE EXAMINATION IN INDIA.

16. Candidates for appointment under this Part shall possess the qualifications required of candidates for appointment under Part III and such additional communal or other qualifications as may be specified by the Governor General in Council, and shall be selected and appointed in the manner prescribed by the rules contained in Part III, all the provisions of which shall, save as provided in this rule, be applicable. The examination of candidates for appointment under this Part shall be held either jointly with the examination held under Part III or separately, as the Public Service Commission may decide. If the examination is held jointly a separate list of candidates to be appointed under this Part shall be made in accordance with Rule 15 for each area affected.

[3rd November 1933]

PART IV.

APPOINTMENT BY SELECTION IN INDIA OTHERWISE THAN BY
COMPETITIVE EXAMINATION.

17. (1) Before taking action with a view to the making of any appointment under this Part, the Governor General in Council shall consult the Public Service Commission regarding the propriety of making the appointment under this part in lieu of under Part IIIA.

(2) If after such consultation the Governor General in Council is of opinion that an appointment or appointments should be made under this Part, he shall call on the Public Service Commission to recommend and arrange in order of preference such number of candidates selected from such areas and with regard to such communal or other considerations as he may think fit. The candidates so recommended shall possess the qualifications specified in Rules 6 and 7, and must satisfy the Public Service Commission that they are in all respects suitable for appointment to the Indian Police Service. No candidate who has not attained the age of 21 years or who has attained the age of 24 years on 1st August preceding the recommendation made by the Public Service Commission shall be eligible for appointment under this rule.

18. The Governor General in Council shall forward to the Secretary of State for India in Council the recommendations made by the Public Service Commission under sub-rule (1) and sub-rule (2) of Rule 17 and shall propose a candidate or candidates for appointment under this Part.

PART V.

APPOINTMENT BY PROMOTION FROM THE PROVINCIAL POLICE SERVICES.

19. Where recruitment is to be made by promotion from the Provincial Police Service, it shall be made after compliance with Rule 6 of the Public Service Commission (Functions) Rules, 1926, or any variation thereof for the time being in force.

PART VI.

APPOINTMENT BY TRANSFER OR PROMOTION FROM A SERVICE
OTHER THAN A PROVINCIAL POLICE SERVICE.

20. The Secretary of State for India in Council may in special cases and on the recommendation of the Governor General in Council made after consulting the Public Service Commission transfer or promote an officer belonging to a branch of Government Service in India (other than the Provincial Police Service) to the Indian Police Service.

3rd November 1933]

Annexure III.

NOTIFICATIONS.

I

GENERAL RULES.

PUBLIC SERVICES—PROVINCIAL SERVICES.

General Rules regulating the method of recruitment, the conditions of service, the pay and allowances and the pensions.

In exercise of the powers conferred by rules 38 to 41 of the Civil Services (Classification, Control and Appeal) Rules, the Governor in Council and the Governor acting with Ministers hereby make the following general rules to regulate the method of recruitment, the conditions of service, the pay and allowances and the pensions of the provincial services.

In these rules and in the special rules made in exercise of the said powers to regulate the method of recruitment, the conditions of service, the pay and allowances and the pensions of any provincial service, unless there is anything repugnant in the subject or context:—

(1) A person is said to be 'appointed to a service' when in accordance with these rules and the special rules, or in accordance with the rules applicable at the time, as the case may be, he discharges for the first time the duties of a post borne on the cadre of such service or commences the probation, instruction or training prescribed for members thereof; 'appointed to a service'

Explanation.—The appointment of a person holding a post borne on the cadre of one service, provincial or subordinate, to hold additional charge of a post borne on the cadre of a provincial service or to discharge the current duties thereof does not amount to appointment to the latter service;

(2) 'appointing authority' means the Local Government or an authority empowered by the Local Government in that behalf; 'appointing authority'

(3) 'approved candidate' means a candidate whose name appears in a list of candidates approved by the appointing authority in consultation with the Commission for appointment to any service, class or category; 'approved candidate'

Explanation.—The inclusion of a candidate's name in any such list shall not confer on him any claim to appointment to the service, class or category;

[3rd November 1933]

'approved probationer' (4) 'approved probationer' in a service means a member of that service who has satisfactorily completed, or is deemed under clause (iv) or (v) of sub-rule (c) of rule 9 satisfactorily to have completed, his period of probation and awaits appointment as a full member of such service;

'cadre' (5) 'cadre' means the sanctioned strength of any service, class, category or grade;

'category' (6) 'category' means the holders of all the posts borne on the cadre of a service or class—

(a) the duties of which are of the same character and importance, and

(b) which are either known by the same designation or the scales of pay for which are the same;

'class' (7) 'class' means the holders of posts borne on the cadre of a service between which and the other posts borne on the cadre of the same service, promotions and transfers are not normally admissible;

'Commission' (8) 'Commission' means the Madras Services Commission;

'discharge of a probationer' (9) 'discharge of a probationer' from a service during the period of his probation means, in case the probationer is a full member or an approved probationer of another service, provincial or subordinate, reverting him to such service and in any other case, dispensing with his services;

'duty' (10) a person is said to be 'on duty' as a member of a service—

(a) when he is performing the duties of a post borne on the cadre of such service or is undergoing the probation, instruction or training prescribed for such service;

(b) when he is on joining time; or

(c) when he is absent from duty on authorized holidays or on casual leave taken in accordance with the instructions regulating such leave issued by the Local Government, having been on duty immediately before and immediately after such absence;

'full member' (11) 'full member of a service' means a member of that service who has been appointed substantively to a permanent post borne on the cadre thereof;

'general rules' (12) 'general rules' means these rules and 'general rule' means one of these rules;

'grade' (13) 'grade' means a grade of the service, class or category, as the case may be;

'Local Government' (14) 'Local Government' means the Governor in Council or/and the Governor acting with the Minister or Ministers concerned;

3rd November 1933]

(15) 'member of a service' means a person who has been appointed to that service and who has not retired or resigned, been removed or dismissed, been transferred or reduced to another service, or been discharged otherwise than for want of a vacancy. He may be a probationer, an approved probationer or a full member of that service;

(16) 'period of probation' of a member of a service means the period of probation prescribed in these rules or in the special rules, together with—

(a) the period until the issue of an order under clause (ii) of sub-rule (c) of rule 9 declaring the probationer to have satisfactorily completed his period of probation, or

(b) the period referred to in clause (iv) or (v) of sub-rule (c) of rule 9, on the expiry of which, the probationer is deemed to have satisfactorily completed his period of probation, or

(c) the period until an order discharging the probationer under clause (ii) of sub-rule (a) of rule 9, clause (i) or (ii) of sub-rule (b) of that rule or clause (iii) of sub-rule (c) of the same rule, takes effect;

(17) 'post borne on the cadre of a service, class or category' means a post the duties of which are normally intended to be performed by a member of such service, class or category. Such posts may be either permanent or temporary;

(18) 'posting' means the appointment of any member of a service to any post borne on its cadre, otherwise than by way of transfer or promotion;

(19) 'probationer' in a service means a member of that service who has not completed the period of his probation;

(20) 'promotion' means the appointment of a member of a service or class of a service, in any category or grade, to a higher category or grade of such service or class;

Explanation.—The appointment of a member of a service or class of a service, in any category to hold additional charge of a post borne on the cadre of a higher category in the same service or class or to discharge the current duties thereof does not amount to promotion to the latter category.

(21) A candidate is said to be 'recruited direct' to a service when at the time of his first appointment thereto he is neither a full member nor an approved probationer in any other service, provincial or subordinate;

(22) A candidate is said to be 'recruited by transfer' to a service when at the time of his first appointment thereto he is either a full member or an approved probationer in another service, provincial or subordinate;

[3rd November 1933]

- 'rule' (23) 'rule' means a rule of the rules in which the word occurs;
- 'Scheduled classes' (24) 'Scheduled classes' means the communities mentioned in the Schedule to these rules;
- 'selection category' (25) 'selection category' means a category declared to be a selection category in the special rules;
- 'selection grade' (26) 'selection grade' means a grade declared to be a selection grade in the special rules;
- 'service' (27) 'service' means a group of persons classified by the Local Government as a provincial service;
- 'special rules' (28) 'special rules' means the special rules made in exercise of the powers conferred by rules 38 to 41 of the Civil Services (Classification, Control and Appeal) Rules to regulate the method of recruitment, the conditions of service, the pay and allowances and the pensions of the service or services concerned;
- 'test' or 'special test' (29) 'test' or 'special test' means an examination in any subject or subjects held for the purpose of ascertaining the fitness—
- (a) of candidates for, or probationers in, or other members of any service, class or category for the duties appertaining to such service, class or category or to particular posts borne on the cadre of such service, class or category; or
- (b) of members of any service, class or category for passing any specified stage in the time-scale of pay applicable to such service, class or category;
- Explanation.*—A person who has passed a test or special test shall be deemed to have passed the same on the last day on which the examination therefor was held; and any benefit or concession admissible to him on such passing may be granted (if all other conditions attaching to the grant of such benefit or concession are satisfied) with effect on and from the day following such day;
- 'transfer' (30) 'transfer' means—
- (a) where a service or class of a service consists of more than one category, the appointment of a person doing duty in any post borne on the cadre of any such category to any other post borne on such cadre; or
- (b) where a service or class of a service consists of only one category, the appointment of a person doing duty in any post borne on the cadre of such service or class to any other post borne on such cadre; but does not include promotion;
- (31) words importing the masculine gender shall be taken to include females, if circumstances so require; and

3rd November 1933]

(32) a person is said to attain the age of 'n' years when 'n' years have elapsed since the beginning of the day of his birth.

Illustration.—A person born on 1st August 1900 attains the age of 25 years at midnight of 31st July—1st August 1925.

1. *Commencement and extent.*—(a) These rules shall come into force on the 1st October 1933.

(b) They shall apply to all provincial services and to all persons appointed to any such service before, on or after the said date except to the extent otherwise expressly provided—

(i) by or under any law for the time being in force, or

(ii) in the special rules, or

(iii) in respect of any member of such service by a contract or agreement subsisting between such member and the Government:

Provided that nothing contained in clause (ii) shall affect the operation of rule 16.

2. *Cadre.*—(a) The cadre of each service, class, category and grade shall be determined by rules made by the Local Government.

(b) if the number of posts in any selection grade in any service, class or category is fixed with reference to the cadre of such service, class or category, a temporary addition to such cadre shall not be taken into account in calculating the number of posts in such selection grade.

(c) If a member of any service, category or grade is reduced to a lower service (provincial or subordinate), category or grade, he shall be deemed to be a full member of the latter and the permanent cadre thereof shall, if there is no vacancy in which he could be absorbed, be deemed to be increased by one so long as such member continues therein:

Provided that against every such addition an officiating or temporary vacancy, if any, shall be kept unfilled and such addition shall be absorbed in the first permanent vacancy that subsequently arises in such lower service, category or grade.

(d) Where a person has been dismissed, removed or reduced from any service, class, category or grade, no vacancy caused thereby or arising subsequently in such service, class, category or grade, shall be substantively filled to the prejudice of such person until the appeal, if any, preferred by him against such dismissal, removal or reduction is decided and except in conformity with such decision, or until the time allowed for preferring an appeal has expired, as the case may be,

[3rd November 1933]

3. *First appointment.*—(a) All first appointments to any service or class shall be to the lowest category or grade therein, or if the lowest category consists of more than one grade to the lowest grade in such category.

(b) (i) All first appointments to any service shall be made by the appointing authority after consulting the Commission.

(ii) Any information in the possession of the Local Government or of any authority subordinate to the Local Government affecting the selection of a candidate for appointment to any service shall be supplied to the Commission on demand.

(iii) Every candidate for appointment to any service who in response to a notification issued by the Commission makes an application shall remit a fee of fifteen rupees and, in case he is required to undergo a competitive examination, an additional fee of ten rupees, into a Government treasury or into the Imperial Bank of India, Madras, or one of the branches thereof, to the credit of the Government under the head “XXVI—Miscellaneous Departments—Examination fees—Fees for examinations—Madras Services Commission” and shall send the treasury or bank receipt therefor to the Commission with his application.

(c) A full member or an approved probationer of any service, class or category shall not be transferred to another service, class or category carrying less pay than his relative position in the cadre of the service, class or category to which he belongs would justify except as a punishment or except with his consent, express or implied.

(d) Where the normal method of recruitment to any service, class or category is neither solely by direct recruitment nor solely by transfer, but is both by direct recruitment and by transfer—

(i) the special rules concerned shall specify the proportion or order in which the substantive vacancies in the permanent cadre of such service, class or category shall respectively be filled by persons recruited direct and by those recruited by transfer; and

(ii) a person shall be recruited direct as against a substantive vacancy in such permanent cadre, if the vacancy is one which should be filled by a direct recruit under the special rules referred to in clause (i), and no person shall be recruited direct except as provided in this clause.

(e) A vacancy in any service, class or category [not being a vacancy which should be filled by direct recruitment under the special rules referred to in clause (i) of sub-rule (d)] shall not be filled by the appointment of a person who

3rd November 1933]

has not yet commenced his probation in such service, class or category when an approved probationer or a probationer therein is available for such appointment.

(f) (i) In cases falling under sub-rule (d), the order in which probationers and approved probationers who were recruited by transfer shall be discharged for want of vacancies shall be—

first, the probationers in order of juniority, and
second, the approved probationers in order of juniority.

(ii) In cases not falling under sub-rule (d), the order in which probationers and approved probationers shall be discharged for want of vacancies shall be—

first, the probationers in order of juniority; and
second, the approved probationers in order of juniority.

(iii) The order of discharge laid down in clauses (i) and (ii) may be departed from for special reasons, but the reasons for every such departure shall be reported without delay to the Commission.

(g) Approved probationers and probationers who have been discharged for want of vacancies shall be reappointed as vacancies [not being vacancies which should be filled by direct recruitment under the special rules referred to in clause (i) of sub-rule (d)] arise, in the inverse of the order laid down in clause (i) or (ii) of sub-rule (f):

Provided that the order laid down in this sub-rule may be departed from with the consent, express or implied, of the person or persons having a preferential right to appointment under this sub-rule:

Provided further that the said order may also be departed from for special reasons, but the reasons for every such departure shall be reported without delay to the Commission.

4. *Temporary appointments.*—(a) (i) Where it is necessary in the public interest to fill up immediately a vacancy in any post borne on the cadre of a service, class or category and there would be undue delay in making such appointment in accordance with these rules and the special rules, the appointing authority may appoint a person, otherwise than in accordance with the said rules, temporarily, until a person is appointed in accordance with such rules; but such temporary appointment or appointments shall in no case exceed three months altogether in the case of any individual.

(ii) Every appointment made under clause (i) together with all the particulars relating to the person so appointed and the reasons therefor shall be reported without delay to the Commission.

[3rd November 1933]

(iii) A person so appointed shall be replaced as soon as possible by a member of the service or an approved candidate qualified to hold the post under the said rules.

(iv) Save as provided in sub-rule (b) of rule 8, a person so appointed shall not be regarded as a probationer in such service or be entitled by reason only of such appointment to any preferential claim to future appointment to the service, class or category.

(v) When a person appointed under clause (i) is discharged, the fact of such discharge shall be communicated to the Commission as soon as possible.

(b) No part-time post shall be created in lieu of a whole-time post borne on the cadre of any service, class or category without the consent of the Commission or for a period in excess of that recommended by it. A person appointed to any part-time post created in lieu of a whole-time post borne on the cadre of a service, class or category shall not be regarded as a probationer in such service nor shall he be entitled by reason only of such appointment to any preferential claim to future appointment to such service, class or category.

5. *Qualifications*.—(a) No person shall be eligible for appointment to any service by direct recruitment unless he—

(i) is either a British subject as defined in section 1 of the British Nationality and Status of Alien Act, 1914, or a subject of a State in India;

(ii) has not attained the age of 25 years;

(iii) satisfies the Commission that he is of sound health, active habits and free from any bodily defect or infirmity unfitting him for such service; and

(iv) satisfies the Commission that his character and antecedents are such as to qualify him for such service.

Explanation.—The decision as to whether a person is qualified under clause (i) of this sub-rule or not shall rest with the Commission. In case of doubt, the Commission shall refer the matter to the Local Government whose decision shall be final.

(b) No candidate other than one who has been born in the Presidency of Madras or who has been domiciled therein for a period of not less than ten years immediately preceding the date of his application shall, except with the previous sanction of the Local Government and except in accordance with such conditions and restrictions as they may lay down, be included in any list of approved candidates. Such sanction shall not be accorded unless the Commission certifies that a sufficient number of qualified and suitable candidates so born or domiciled is not available,

3rd November 1933]

6. *Special qualifications.*—(a) No person shall be eligible for appointment to any service, class, category or grade or any post borne on the cadre thereof unless he—

(i) possesses such special qualifications and has passed such special tests as may be prescribed in that behalf in the special rules, or,

(ii) possesses such other qualifications as may be considered by the Commission to be equivalent to the said special qualifications or special tests.

(b) The Commission may, if satisfied on the recommendation of the appointing authority that a candidate or candidates with an adequate knowledge of a particular vernacular language or languages is necessary for filling up a vacancy or vacancies in any service, class or category, declare that such number of vacancies as may be specified in the declaration are reserved for candidates with such knowledge. Where such a declaration has been made, the Commission shall select candidates in accordance therewith and notwithstanding anything contained in these rules, any such vacancy shall, if no member of the service possessing such knowledge is available for appointment thereto, be filled only by an approved candidate possessing such knowledge.

7. *Communal representation.*—(a) (i) Where the special rules lay down that the provisions of this sub-rule shall apply to any service, class or category, appointments thereto shall, so far as qualified and suitable candidates of the communities concerned are available, be made in the following order, namely:—

- One Non-Brahman (Hindu).
- One Muhammadan.
- One Non-Brahman (Hindu).
- One Anglo-Indian or Christian or Non-Asiatic.
- One Brahman.
- One Non-Brahman (Hindu).
- One member of the Scheduled classes.
- One Non-Brahman (Hindu).
- One Muhammadan.
- One Non-Brahman (Hindu).
- One Anglo-Indian or Christian or Non-Asiatic.
- One Brahman.

Explanation.—The expression “Non-Brahman (Hindu)” shall include every community other than the Brahman, the Muhammadan, the Anglo-Indian, Christian or Non-Asiatic, and the Scheduled classes.

(ii) The stage at which the communal rotation specified in clause (i) shall commence when first applied to any

[3rd November 1933]

such service, class or category shall be determined by the Local Government.

(iii) If a qualified and suitable candidate belonging to any community is not available for appointment to any such service, class or category in the turn allotted to that community under clauses (i) and (ii) or under this clause, a qualified and suitable candidate belonging to the community next in the order specified in clause (i) shall, if available, be appointed; but the former community shall have a preferential claim for consideration when any subsequent appointment is to be made to such service, class or category until a suitable and qualified candidate belonging to that community has been appointed against that claim.

(iv) Where a probationer belonging to any community is discharged from any such service, class or category otherwise than for want of a vacancy therein, such community shall have a preferential claim for consideration when any subsequent appointment is to be made to such service, class or category until a suitable and qualified candidate belonging to that community has been appointed against that claim.

(v) If, when an appointment to any such service, class or category is to be made, there are two or more communities having a preferential claim under clause (iii) or clause (iv), that community shall receive first consideration whose preferential claim first arose.

(b) (i) Where the special rules lay down that the provisions of this sub-rule shall apply to any service, class or category, appointments thereto otherwise than by transfer from a corresponding subordinate service or by promotion, shall be so regulated as to secure, as near as may be, the distribution of membership in such service, class or category among the following communities in the proportion specified against each:—

Non-Brahman Hindus—Five out of twelve.

Brahmans—Two out of twelve.

Muhammadans—Two out of twelve.

Anglo-Indians, Christians and Non-Asiatics—Two out of twelve.

Scheduled classes—One out of twelve.

Explanation.—(1) The expression “Non-Brahman Hindus” shall include members of all communities other than the Brahman, the Muhammadan, the Anglo-Indian, Christian or Non-Asiatic and the Scheduled classes.

3rd November 1933]

(2) Appointments to any such service, class or category by transfer from the corresponding subordinate service or by promotion shall be made irrespective of communal consideration.

(ii) Every appointment to any such service, class or category otherwise than by transfer or promotion as aforesaid shall be made from that community which at the time of appointment is most disadvantageously situated with reference to the proportions specified in clause (i); if no qualified and suitable candidate of that community is available, a candidate from the community next in the order of disadvantage who is qualified and suitable shall be appointed. If it is found that the disadvantage of two or more communities is equal, a candidate belonging to any such communities who is best fitted for the post shall be appointed.

8. *Probation.*—(a) A probationer in a service shall not be eligible for appointment as a full member of such service in any category until he has been on probation in such category or in a higher category of the same service or class, for a total period of two years on duty within a continuous period of three years.

(b) If a person, having been appointed temporarily under sub-rule (a) of rule 4 to a post borne on the cadre of any service, class or category or having been appointed to any service, class or category otherwise than in accordance with the provisions of these rules or of the special rules governing such appointment, is subsequently appointed to the service, class or category in accordance with these rules and the special rules, he shall commence his probation from the date of such subsequent appointment or from such earlier date as the Commission may determine.

(c) No probationer shall, during the period of his probation, except for purposes of instruction or training, be employed on duties which are not normally discharged by members of the service in the category to which he belongs.

9. (a) At any time before the expiry of the prescribed period of probation, the appointing authority may—

(i) suspend the probation of a probationer and discharge him from the service for want of a vacancy, and

(ii) at its discretion and after consultation with the Commission, by order, terminate the probation of a probationer and discharge him from the service.

(b) (i) If within the prescribed period of probation, a probationer fails to acquire the special qualifications or to pass the special tests, if any, prescribed in the special rules or to acquire such other qualifications as may be considered by the

[3rd November 1933]

Commission to be equivalent to the said special qualifications or special tests, the appointing authority shall forthwith, by order, discharge him from the service.

(ii) If such probationer has appeared within the prescribed period of probation for any such tests or for any examinations in connexion with the acquisition of any such qualifications, having passed all the other tests and acquired all the other qualifications, and the results of the tests of examinations for which he has so appeared are not known before the expiry of such period, he shall continue to be on probation until the publication of the results of the tests or examinations for which he has appeared or the first of them in which he fails to pass, as the case may be. In case the probationer fails to pass any of the tests or examinations for which he has so appeared, the appointing authority shall forthwith, by order, discharge him from the service.

(iii) Where a test in only one of certain specified vernacular languages is prescribed in the special rules, a person whose mother-tongue is one of the languages so specified or who has taken one of such languages for his university degree shall not be required to pass any language test.

(iv) Where tests in two of certain specified vernacular languages are prescribed in the special rules, a person whose mother-tongue is one of the languages so specified or who has taken one of such languages for his university degree shall be required to pass the test only in one other of such languages, and a person whose mother-tongue is one of such languages and who has taken another of such languages for his university degree or who has taken two of such languages for his university degree, shall not be required to pass any language test.

(v) Where a probationer has, before he commenced his probation, already acquired any special qualification or passed any special test prescribed in the special rules, or has acquired such other qualification as may be considered by the Commission to be equivalent to the said special qualification or special test, he shall not be required to acquire such special qualification or to pass such special test again within the period of his probation.

(c) (i) At the end of the prescribed period of probation, the appointing authority shall consult the Commission as to the probationer's suitability for full membership of the service in the category for which he was selected.

(ii) If, after such consultation, the appointing authority considers the probationer to be suitable for such membership, it shall as soon as possible, or in cases falling under clause (ii) of sub-rule (b) as soon as possible after the

3rd November 1933]

probationer has passed the tests and examinations for which he has appeared, issue an order declaring the probationer to have satisfactorily completed his period of probation. On the issue of such order, the probationer shall be deemed to have satisfactorily completed his period of probation on the date of the expiry of the prescribed period of probation.

(iii) If, after such consultation, the appointing authority does not consider the probationer to be suitable for such membership, it shall by order discharge him from the service.

(iv) In cases not falling under clause (ii) of sub-rule (b), if no order is issued by the appointing authority under clause (ii) of this sub-rule within three months after the expiry of the prescribed period of probation, the probationer shall be deemed to have satisfactorily completed his period of probation on the date of the expiry of the prescribed period of probation.

(v) In cases falling under clause (ii) of sub-rule (b), if the candidate has passed the tests and examinations for which he has appeared and no order is issued under clause (ii) of this sub-rule by the appointing authority within three months after the expiry of the prescribed period of probation or within one month of the publication of the results of such tests and examinations, whichever is later, the probationer shall be deemed to have satisfactorily completed his period of probation on the date of the expiry of the prescribed period of probation.

(d) An order discharging a probationer issued under clause (ii) of sub-rule (a) or clause (i) or clause (ii) of sub-rule (b) or clause (iii) of sub-rule (c) shall have effect from the date on which the probationer is discharged.

(e) No order passed under clause (iii) of sub-rule (c) shall be based either wholly or in part upon the probationer's work or conduct after the expiry of the prescribed period of probation.

(f) (i) It shall not be necessary in any order discharging a probationer passed under clause (ii) of sub-rule (a), clause (i) or clause (ii) of sub-rule (b) or clause (iii) of sub-rule (c), to specify the reasons for such discharge, but such order shall state whether or not the Commission recommended such discharge. A copy of the order, together with the reasons therefor, shall be communicated to the Commission. A probationer who is discharged contrary to the recommendation of the Commission shall be entitled to appeal against the order of discharge as if it were an order of dismissal.

(ii) No probationer discharged under any of the provisions referred to in clause (i) shall be eligible for re-appointment to the service in the category from which he has been discharged or a higher category of the same service or class:

[3rd November 1933]

Provided that a probationer recruited by transfer who is so discharged may, after a period of three years from the date of such discharge, be appointed to the service in the category from which he was discharged as if he had not been previously appointed thereto. A person so appointed shall for all purposes be regarded as having been appointed to the service in such category for the first time on the date of his appointment thereto under this proviso.

(g) For the purposes of this rule, 'prescribed period of probation' shall mean the period of probation specified in sub-rule (a) of rule 8 or any other period prescribed in this behalf in the special rules.

10. (a) A probationer or an approved probationer may be appointed to officiate in any permanent or temporary post borne on the cadre of the service, class or category for which he was selected, or in a higher category of the same service or class, provided he is qualified for holding such post.

(b) Notwithstanding anything contained in Fundamental Rule 30, there shall be paid—

(i) to a probationer recruited by transfer from the corresponding subordinate service, the pay specified in the special rules in that behalf, or if no such pay is specified therein, the pay which would be admissible to him if he were a full member of the service in the category in which he is holding a post, as modified in the latter case by the operation of Fundamental Rules 22 and 31.

(ii) to any other probationer

(1) while he is undergoing a course of instruction or training, the pay specified in the special rules in that behalf; and

(2) after he has completed the course of instruction of training, if any, the pay of the lowest grade or the minimum pay in the time scale of pay, as the case may be, applicable to the category for which he was selected as modified in either case by the operation of Fundamental Rules 22 and 31.

(iii) to an approved probationer, the pay which would be admissible to him if he were a full member of the service in the category in which he is holding a post.

Explanation.—An approved probationer shall be entitled to count the period of his probation for increments in the time scale of pay, if any, applicable to the category for which he was selected.

(iv) to a person appointed under rule 4 to hold temporarily a post borne on the cadre of a service, class or category, either his substantive pay or the pay of the lowest grade or the

3rd November 1933]

minimum pay in the time scale of pay, as the case may be, applicable to such service, class or category, whichever is higher.

11. *Appointment of full members.*—(a) An approved probationer shall, if a substantive vacancy in the permanent cadre of the category for which he was selected exists, be appointed to be a full member of the service in such category at the earliest possible opportunity; and if such vacancy existed from a date previous to the issue of the order of appointment, he may be so appointed with retrospective effect from such date or, as the case may be, from such subsequent date from which he was continuously on duty as a member of the service in such category or in a higher category:

Provided that where more than one approved probationer is available for such appointment as full member, the senior-most approved probationer shall be appointed.

(b) Where the special rules provide that recruitment to any service, class or category shall normally be both by direct recruitment and by transfer, the provisions of sub-rule (a) shall apply separately as regards

(i) vacancies against which persons have been recruited direct; and

(ii) other vacancies.

(c) No approved probationer shall be required to produce a medical certificate of physical fitness before appointment as a full member of the service:

Provided that in the case of an approved probationer who is not a full member of any other service, provincial or subordinate, the appointing authority may, if it has reason to believe that the probationer's physical fitness has seriously deteriorated since he satisfied the Commission under clause (iii) of sub-rule (a) of rule 5, require him to undergo a fresh medical examination. If on such examination he is found to be physically unfit for the service in the category for which he was selected, the appointing authority shall discharge him from the service.

(d) No person shall at the same time be a full member of more than one service, provincial or subordinate.

A probationer, approved probationer or full member of one service who is appointed to be a full member of another service shall cease to be a member of the former service.

A probationer in any service who is not on duty in that service may be appointed to another service, but if subsequently he is required for duty in the former service while on duty in

[3rd November 1933]

the latter, he shall elect the service of which he wishes to be a member and on such election, he shall cease to be a member of the other service.

A probationer in any service who is on duty in that service may, if he is willing to give up his membership of that service, be appointed to another service. On such appointment, he shall cease to be a member of the former service.

12. *Seniority in the service.*—(a) The seniority of a member in any service or class of a service shall be determined by the date of his first appointment to such service or class or in the case of a person governed by sub-rule (b) of rule 8, by the date on which he commences his probation under that sub-rule:

Provided that if any portion of the service of a member does not count towards his probation, his seniority shall be determined by the date of the commencement of his service which counts towards probation:

Provided further that where a service or class consists of more than one category, a person who is appointed to the service or class in a higher category shall take rank in such service or class

(i) until he becomes an approved probationer in such higher category, next below the person who was last appointed, whether substantively or in an officiating capacity, to hold a post in such higher category; and

(ii) on his becoming an approved probationer in such higher category, either next below the person referred to in clause (i) or next below the person who was last appointed substantively to a post in such higher category or, if any person or persons have become approved probationers in such higher category after such substantive appointment, next below such person or such of those persons as completed his probation last as the case may be, whichever will give him the higher rank.

(b) Where the date by which seniority is determined under sub-rule (a) is the same in the case of two or more members of a service or class, their seniority *inter se* shall be determined by the order of preference, if any, laid down by the Commission in their case. If no such order of preference has been laid down or in case of doubt, seniority shall be determined by the Commission.

(c) A member of a service or class shall, unless he is reduced in seniority as a punishment retain seniority in such service or class as determined by sub-rules (a) and (b) throughout his service notwithstanding any delay in the

3rd November 1933]

completion of his probation or in his appointment as a full member of the service or class and irrespective of the category in which he may, from time to time, hold a post.

(d) Where a member of any service, category or grade is reduced to a lower service, category or grade, he shall be placed at the top of the latter unless the authority ordering such reduction, after consultation with the Commission, direct that he shall take rank in such lower service, category or grade, next below any specified member thereof.

13. *Promotion.*—(a) All promotions shall be made by the appointing authority.

(b) Where special qualifications or special tests are prescribed by the special rules of a service for any category, grade or post therein, or in a class thereof, which are not prescribed for a category or grade in such service or class carrying a lower rate of pay, a member in the latter category or grade shall not be promoted to the former category, grade or post, whether in a permanent, officiating or temporary capacity, or

where such qualifications or tests are prescribed by the special rules for passing any specified stage in the time-scale of pay applicable to any service, class or category or any post borne on the cadre thereof, a member in such service, class or category or holding such post shall not be permitted to pass such stage unless he

(i) possesses such qualifications or has passed such tests, or

(ii) possesses such other qualifications as may be considered by the Commission to be equivalent to the said qualifications or tests:

Provided that if none of the members in the category or grade carrying the lower rate of pay is eligible for promotion under this sub-rule, a member in such category or grade may be promoted to the category or grade carrying the higher rate of pay temporarily until a member of the former category or grade qualified under this sub-rule is available for promotion. A member temporarily promoted under this proviso shall not by reason only of such promotion, be entitled to any preferential claim to future promotion.

(c) (i) Promotions in a service or class, to a selection, category or to a selection grade, shall be made after consultation with the Commission. Such promotions shall, subject to the provisions of sub-rule (b), be made on grounds of merit and ability, seniority being considered only where the merit and ability are approximately equal.

[3rd November 1933]

(ii) All other promotions shall, subject to the provisions of sub-rule (b), be made in accordance with seniority unless—

(1) the promotion of a member has been withheld as a penalty; or

(2) a member is given special promotion for conspicuous merit and ability.

Such special promotion shall be made after consultation with the Commission. The reasons for giving such promotion shall be recorded in writing and communicated forthwith to all the members of the service affected.

(d) A member of a service promoted from one category to another shall be on probation in the latter category for a total period of two years on duty within a continuous period of three years. The promotion of a member of a service from one category to another shall, as regards probation, be treated in the same way as a first appointment to the service in the latter category and all the rules governing appointment to the service in the latter category shall *mutatis mutandis* apply.

(e) The provisions of sub-rule (a) of rule 4 shall apply *mutatis mutandis* to promotions also.

(f) Notwithstanding anything contained in sub-rule (d), the following provisions shall apply to promotions from a lower to a higher category of a service or class of a service in cases where the lien of a member of such service or class on a post borne on the cadre of the lower category is or has been suspended by reason of his being on foreign service or otherwise:—

(i) if a substantive or officiating vacancy in the higher category arises during the period of suspension of the lien of such a member, he shall, if considered fit, be promoted in his turn to the higher category substantively or in an officiating capacity, as the case may be, subject to the condition that he shall on reversion to duty in the said service or class, undergo and satisfactorily complete the probation prescribed in sub-rule (d) in respect of such higher category; and

(ii) if a substantive or officiating vacancy in the higher category is in existence when such a member returns to duty in the said service or class or arises after such return, he shall, if considered fit, be promoted to the higher category substantively or in an officiating capacity, as the case may be, in preference to any other member who is junior to him, subject to the condition that he shall undergo and satisfactorily complete the probation prescribed in sub-rule (d) in respect of such higher category.

3rd November 1933]

14. *Postings and transfers.*—(a) A member of a service or class of a service may be required to serve in any part of the Presidency of Madras in any post borne on the cadre of such service or class:

Provided that no such member shall be posted or transferred to any post unless he—

(i) possesses such special qualifications and has passed such special tests as may be prescribed for such post in the special rules, or

(ii) possesses such other qualifications as may be considered by the Commission to be equivalent to the said qualifications and tests.

(b) All transfers and postings shall be made by the appointing authority.

15. *Pay, allowances, leave, leave salary, pension and other conditions of service.*—The Fundamental Rules and the pension rules for the time being in force shall, except to the extent expressly provided in these rules or the special rules, govern members of every service in the matter of their pay, allowances, leave, leave salary, pensions and other conditions of service:

Provided that where any such member has elected to be governed by the provisions of the Civil Service Regulations, those provisions shall apply to him.

16. *Savings.*—(a) (i) Nothing in these rules shall adversely affect any person who was a member of any service on the date of the coming into force of these rules.

(ii) Nothing in any special rules governing a service shall adversely affect any person who was a member of such service on the date of the coming into force thereof.

(b) Where these rules or the special rules would adversely affect in respect of any matter a person who was a member of any service before the date of coming into force thereof, he shall, in respect of such matter, be governed by the rules and orders, if any, which were applicable to him immediately prior to such date:

Provided that if there were no rules or orders prescribing the period of probation, applicable to him on such date, the provisions of these rules and the special rules regarding probation shall apply to him and any service rendered by him before such date shall count towards probation if and to the extent such service would have counted, had these rules and the special rules come into force at the time of his first appointment.

[3rd November 1933]

(c) If, before the issue of the special rules, a person had been exempted under the orders then in force from the possession of any qualification or the passing of any test and the possession of such qualification or the passing of such test is prescribed by such special rules, they shall not apply to such person to the extent and in respect of the category, grade or post, specifically covered by the order of exemption.

SCHEDULE.

SCHEDULED CLASSES.

[See definition 24.]

Hill and aboriginal tribes.

- 1 Annadan.
- 2 Badaga.
- 3 Bagata.
- 4 Chenchu.
- 5 Domba (Dombo).
- 6 Gadaba.
- 7 Gond.
- 8 Irulars.
- 9 Jatapu.
- 10 Kada (Kadan).
- 11 Kani (Kaniyan).
- 12 Kapu of Vizagapatam and Godavari districts.
- 13 Karumbalan.
- 14 Kattunaicken.
- 15 Kondh.
- 16 Konda Dora.
- 17 Kota.
- 18 Koya.
- 19 Kudibi.
- 20 Kurichan.
- 21 Kurumba.
- 22 Madugar or Medavar.
- 23 Maduva.
- 24 Malasar.
- 25 Malayalee (of Pachamalai Hills of Salem and Trichinopoly districts).
- 26 Marathi (of South Kanara district).
- 27 Mavilan.
- 28 Melakudi or Kudiyan.
- 29 Paniyan.
- 30 Panu (Pano).
- 31 Polayan (Pulayan).
- 32 Poroga (Poroja).
- 33 Savara.
- 34 Sholagar.
- 35 Toda.
- 36 Vettuvan.

Others.

Names and districts.

- 1 Amagunta Poligar (Chittoor).
- 2 Ambalagars (Trichinopoly).
- 3 Anebojinapalli Malas (Nellore).
- 4 Anipey Malas (East Godavari and West Godavari).
- 5 Attur Kilnad Koravars (South Arcot, Salem and Trichinopoly).
- 6 Attur Melnad Koravars (Salem).

3rd November 1933]

Others—cont.

Names and districts.

- 7 Bavuri (Ganjam and Vizagapatam districts).
- 8 Bavira (South Kanara).
- 9 Bakuda (South Kanara).
- 10 Bellara (South Kanara).
- 11 Bhattu Turkas (Chittoor).
- 12 Boyas (Anantapur, Bellary, Chittoor, Kurnool).
- 13 Budabukkakas (Guntur).
- 14 Chakala (Guntur).
- 15 Chalavadi (Bellary).
- 16 Chengampundi Koravars (North Arcot).
- 17 Cheruma (Malabar).
- 18 Chettinad Valayars (Ramnad).
- 19 Chuckler (Tamil districts).
- 20 Dandasis (Ganjam).
- 21 Dasari [Anantapur, Bellary Chittoor, Cuddapah and Nellore (Kavali Settlement)].
- 22 Debi Koravars (Trichinopoly).
- 23 Dommaras (Anantapur, North Arcot, South Arcot, Chittoor, Kurnool, Nellore, East Godavari, West Godavari and Kistna).
- 24 Dubbai Koravars (North Arcot).
- 25 Gandarvakottai Koravars (Tanjore).
- 26 Ghasis (Jeypore, Vizagapatam district).
- 27 Godda (South Kanara).
- 28 Gudu Dasaris (South Arcot and Coimbatore).
- 29 Gundlapad Woddars (Guntur).
- 30 Haddi (Ganjam and Vizagapatam districts).
- 31 Holeya (South Kanara).
- 32 Inji Koravars (Trichinopoly).
- 33 Iranis (all districts).
- 34 Irulars (North Arcot, South Arcot and Trichinopoly).
- 35 Jambuvandi (Trichinopoly).
- 36 Jamulapalli Malas (Kurnool).
- 37 Jarugaballi Madigas (Guntur).
- 38 Jogamalai Koravars or Kepmaris (North Arcot, South Arcot, Bellary and Cuddapah).
- 39 Jogula or Jogi (North Arcot, South Arcot, Chingleput, Chittoor and Nellore).
- 40 Kallars (of that portion of the Tanjore district to which the special reclamation activities through the Kallar Reclamation Deputy Superintendent have been extended).
- 41 Kaladis (Trichinopoly).
- 42 Kal Koravas (Trichinopoly).
- 43 Kal Oddars (Chingleput).
- 44 Kanakkan (Malabar).
- 45 Kepmaris (Chingleput).
- 46 Kintali Kalingas (Vizagapatam).
- 47 Korachas (Bellary).
- 48 Koraga (South Kanara).
- 49 Koravars (Chingleput, Salem and Tinnevely).
- 50 Kottapal Kallars (Tanjore).
- 51 Kunjar Bhat (all districts).
- 52 Kurumbarava (Ramnad).
- 53 Lambadis (Guntur).
- 54 Madari (Ganjam and Vizagapatam).
- 55 Madigas (Arundhatiyas of Telugu districts).
- 56 Maila (South Kanara).
- 57 Malas (Adi-Andhras of Telugu districts).
- 58 Maravars of Pulam (Tinnevely district).
- 59 Moger (Mera or Kaipudus or Mogerars) (South Kanara).
- 60 Monda Koravars (Salem).
- 61 Mundala (South Kanara).
- 62 Muthurachas (Nellore).

[3rd November 1933]

Others—cont.

Names and districts.

- 63 Nakkalas (East Godavari).
- 64 Nalkedaya (South Kanara).
- 65 Nattan Korachas (Chittoor).
- 66 Nayadi (Malabar).
- 67 Nirshikaris (Bellary and Kurnool).
- 68 Nokkars (Chingleput).
- 69 Oddars (North Arcot).
- 70 Paidis (Vizagapatam).
- 71 Pallan (Tamil districts).
- 72 Pambada (South Kanara).
- 73 Paraiya (Adi-Dravida of Tamil districts).
- 74 Paravan (South Kanara).
- 75 Pedda Boyas (Anantapur and Cuddapah).
- 76 Pennagaram Perumbalai Koravars (Salem).
- 77 Periasuriyur Kallars (Trichinopoly).
- 78 Picharis (Bellary).
- 79 Pichi Guntlas (Cuddapah).
- 80 Piramalai Kallars (Madura and Ramnad).
- 81 Ponnai Koravars (North Arcot).
- 82 Ranayars (South Kanara).
- 83 Rellis (Ganjam and Vizagapatam).
- 84 Sakkaraitamadai Koravars (North Arcot and South Arcot).
- 85 Salem Melnad Koravars (North Arcot, Coimbatore, Madura, Salem, Tanjore and Trichinopoly).
- 86 Samagars (South Kanara).
- 87 Semman (Madura and Trichinopoly).
- 88 Sembanad Maravars (Ramnad).
- 89 Sungalis (Lambadis) (Anantapur, Bellary, Chittoor, Cuddapah and Kurnool).
- 90 Suragalli Koravars (Salem).
- 91 Tak Woddars (Kurnool).
- 92 Telugu Pamulas (Ganjam, East Godavari, West Godavari, Guntur, Kistna, Nellore and Vizagapatam).
- 93 Telungapatti Chettis (Trichinopoly).
- 94 Thalli Koravars (Salem).
- 95 Thoti (or Mari-marusas or Mari Holeyas) (South Kanara).
- 96 Thotia Naicks (North Arcot, South Arcot, Coimbatore, Madura, Ramnad, Tanjore, Tinnevely and Trichinopoly).
- 97 Uppu Koravars (North Arcot, Salem and Trichinopoly).
- 98 Uraligoundan (Trichinopoly).
- 99 Vaduvarpatti Koravars (Madura, Ramnad and Trichinopoly).
- 100 Valayars (Coimbatore and Madura).
- 101 Valluvan (Tamil districts).
- 102 Varahaneri Koravan (Trichinopoly).
- 103 Vayalpad or Nawahpet Koravars (Anantapur, Chittoor, Cuddapah and Nellore).
- 104 Vellayankuppan Padayachis (South Arcot).
- 105 Venganur Parayas (North Arcot and Chittoor).
- 106 Veppur Paraya (South Arcot).
- 107 Vettaikaran (Tanjore).
- 108 Vettuvan (Malabar).
- 109 Woddars (Chittoor, Cuddapah, West Godavari, Guntur, Kistna, Kurnool and Nellore).
- 110 Yanadi (Ganjam, West Godavari, Guntur, Nellore, Chittoor, Chingleput and Cuddapah).
- 111 Yerukalas (Anantapur, Bellary, Cuddapah, East Godavari, West Godavari, Guntur, Kistna, Kurnool and Nellore).

NOTE.—This list includes the tribes notified under section 3 of the Criminal Tribes Act and is subject to variation as tribes are notified under section 3 of the Criminal Tribes Act or removed from the operation of the Act.

3rd November 1933]

EXPLANATORY INSTRUCTIONS.

1. *General.*—The power of regulating the conditions of service of Provincial and Subordinate Services can be exercised by the Local Government only through the framing of rules in pursuance of the rule-making power delegated to them in the Classification Rules by the Secretary of State under the authority of the Government of India Act. The Government of India Act replaced once and for all the regime of executive orders by a regime of rules, and statutory rules are therefore now a legal necessity. They have the force of law and have therefore to be strictly complied with, as any infringement of a statutory rule constitutes an illegality. It has been held that in view of the express provisions of section 96-B (5) of the Government of India Act a general power to make rules does not include or imply a power to exempt from or relax the requirements of those rules, and that accordingly the Local Government are not competent, when making such rules, to include a rule clothing themselves with a power of exemption from the operation of the rules so made. It has further been held that on a construction of the terms of the Secretary of State's delegation and of Classification Rule 12 it is not within the competence of the Local Government to frame a rule in and for an individual case. Any relaxation of the rules in existence at any time can only be made under Classification Rule 12, i.e., when a strict application of the rules causes hardship to an individual. The rules cannot therefore be relaxed or dispensed with on grounds of administrative convenience or public interest, nor can certain rules such as those prescribing age-limits or qualifications for appointment ever be relaxed, since they could not be brought within the terms of Classification Rule 12 which applies only to members of the services. It is however permissible to amend or to make a general rule in the light of any case of individual hardship or with a view to avoiding administrative inconvenience, and heads of departments are at liberty to recommend to Government the amendment or the framing of any rule as may be found necessary or desirable as a result of their experience in the administration of their departments.

2. *Definitions.*—A service consists of a number of persons, not of a number of posts. When a service consists of two or more groups of persons with little in common between them, save perhaps that they work under the same administrative head, but it is not considered desirable to split the groups into separate services, the groups are constituted into classes of the service. It follows that there can normally be neither promotions nor transfers between different classes of a service. The holders of posts in a service or class between which transfer or promotion is normally made are designated 'categories.'

A person becomes a member of a service on the date of his first appointment to the service, although he is only a probationary member of the service, or a probationer in the service, until he has satisfactorily completed his probation, after which he remains an approved probationer in the service until, on the occurrence of a permanent vacancy, he can be admitted to full membership of the service.

[3rd November 1932]

A fundamental conception of appointment to a service is that it must be made in accordance with the rules, such as those prescribing qualifications including age-limit, communal rotation and consultation with the Madras Services Commission. An irregular appointment is not therefore recognized as any appointment at all for purposes of the rules. Neither the holding of additional charge of a post borne on the cadre of a service, nor an emergency temporary appointment to a post borne on the cadre of a service, constitutes appointment to a service. The former is specifically barred by the explanation given under the definition, but this is unnecessary in the case of the latter in view of the clause in the preamble to the definitions 'unless there is anything repugnant in the subject or context' and the specific provision embodied in clause (iv) of rule 4 (a). Thus although emergency appointments are made in accordance with a particular rule, they are not made in accordance with the general rules and the special rules, to which that particular rule itself constitutes an exception. A person who is appointed in accordance with the rules save only that he actually takes over his duties out of his turn under the communal rotation rule can under the definition be regarded as appointed to the service on the date on which his appointment would have been in accordance with the rules.

Under the definition of "appointed to a service" read with the definition of "member of a service" a person who was a probationer or approved probationer in a service when these rules came into force acquired the status of a member of the service retrospectively from the date of his first appointment and thus secured the benefit of the protection afforded by rule 16.

The cadre of a service is the sanctioned strength of a service. The creation of a temporary post involves a temporary addition to the cadre of the service, which is thus included in the cadre for so long as the post remains in existence and will automatically carry the rate of pay prescribed for such posts in the statutory rules unless they provide specifically for the pay to be drawn by such temporary additions. The cadre therefore includes both the permanent strength and also the holders of temporary posts. Where it is necessary to denote the former alone, as in rule 11 (a), the expression "permanent cadre" may be used.

The expression "on duty" being of importance so far as these rules are concerned only in connexion with probation, duty is defined to cover merely 'duty as a member of a service' and not duty generally, as the latter would involve such complications as service under the Government of India or in some other service, duty while in foreign service, and the like.

3. *Rule 4*.—Emergency temporary appointments have been provided for to avoid interruption of Government business in sudden emergencies, and not to avoid the necessity of foresight in estimating requirements. It is an abuse of the rule, for instance, to resort to

3rd November 1933]

it when or just before an officer proceeds on leave if it was known several months previously that the leave vacancy would arise and steps could have been taken to have the vacancy filled in accordance with the rules. The provision can however be legitimately used when several appointments have to be notified at the same time, but whereas according to the communal rule the officers so appointed should be appointed in a certain order, the order in which they will actually join duty cannot be controlled or foreseen. In such a case all the officers can be temporarily appointed in the first instance and the date of their regular appointment notified later. For example, if *A*, *B*, *C*, *D*, are simultaneously appointed to a service and under the communal rule the appointments should be in the order stated, and *A* joins duty on 10th April, *B* on the 1st April, *C* on the 19th April, and *D* on the 7th April, the regular appointments would date from 10th April, 10th April, 19th April and 19th April respectively; and service rendered in any such case between the date of joining and the date of regular appointment would be regarded as temporary service not counting towards probation under rule 4 (a) (iv).

As temporary appointments are designed to meet sudden emergencies, rule 4 does not insist on the prescribed qualifications being observed in their cases. But appointing authorities are expected to secure the best person immediately available, and in particular not to appoint an unqualified person if a qualified person is available.

4. *Rule 7* provides two alternative methods of securing communal representation in the Provincial Services, namely, the method of communal rotation covered by sub-rule (a) and the method of communal proportion dealt with in sub-rule (b). The communal principle can therefore be applied to any service, class or category by including a rule in the special rules governing the service concerned specifying which sub-rule of general rule 7 shall apply and the extent or unit to which it shall be applied. Generally speaking, the communal rotation method is preferable as being the more straightforward and easy to work, where it can without objection be applied to all appointments however made to a service, class or category; while the communal proportion method is preferable where for administrative or other reasons it is considered desirable that certain appointments such as those by transfer from the corresponding subordinate service shall be made independently of communal considerations.

Rule 7 (a).—Under the communal rotation method a community which loses a turn for want of a suitable and qualified candidate, or which loses a representative through the discharge of a probationer, acquires a preferential claim to consideration in the filling of the next or any subsequent vacancy, which preferential claim will persist until it is satisfied. It is of course possible for one or more communities to possess one or more preferential claims at the same time. An appointment cannot be made against a regular communal turn if an outstanding preferential claim can be satisfied by the appointment of a suitable and qualified candidate of the community possessing such claim; while preferential

[3rd November 1933]

claims as among themselves shall be satisfied in so far as suitable and qualified candidates are available in the order in which they arose.

Illustration.—In a service subject to the communal rotation rule the last appointment made was that of a non-Brahman against turn 1, the previous turns of Muhammadan (turn 9) and Anglo-Indian, etc. (turn 11) having been passed over for want of suitable and qualified candidates and remaining still outstanding. When the next vacancy arises the position will be that the Muhammadan community possesses the first preferential claim, the Anglo-Indian, etc., community possesses the second preferential claim, and the Muhammadan community is entitled to the communal turn (turn 2).

If then a suitable and qualified Muhammadan candidate is available, he will be appointed against the first preferential claim, after which the Anglo-Indian, etc., community will possess the first preferential claim and the Muhammadan community will remain entitled to the communal turn. But should a probationer of the "Scheduled classes" community (turn 7) be discharged before the next vacancy arose, then the Anglo-Indian, etc., community would have the first preferential claim, the "Scheduled classes" community the second preferential claim, and the Muhammadan community the communal turn.

If however there was no suitable Muhammadan candidate available but there was a suitable Anglo-Indian, etc., candidate, then the first preferential claim would have to be passed over and the qualified candidate of the Anglo-Indian, etc., community would be appointed against the second preferential claim; after which the Muhammadan community would possess the first (and only) preferential claim and also the communal turn.

If there were available no suitable candidate either of the Muhammadan or the Anglo-Indian, etc., communities, then both the preferential claims and communal turn 2 would have to be passed over and a suitable and qualified non-Brahman if available would have to be appointed against turn 3. After that the position would be that the Muhammadan community would possess the first and the third preferential claims and the Anglo-Indian, etc., community the second preferential claim and the communal turn (turn 4).

Rule 7 (b).—When an appointment has to be made to a service in accordance with the communal proportion rule, the appointment must be made from that community which is at the time most disadvantageously situated with reference to the proportions specified in rule 7 (b) (i). The criterion should be applied in the following manner:—

- (a) The total strength of members (whether full members, approved probationers or probationers) in the service, class or category belonging to each of the recognized communities should first be ascertained.
- (b) It should next be determined what would be the total strength of members of each of the communities according to the proportions fixed in rule 7 (b) (i).

3rd November 1933]

(c) The percentage for each community of the figure under (a) to that under (b) should then be worked out.

(d) The community having the lowest percentage as worked out in (c) will be the one entitled to representation next. If no qualified and suitable member of that community is available, then a member of the community having the next lowest percentage will be entitled to appointment.

A fresh calculation on the above lines will have to be made every time that an appointment has to be made subject to this rule.

Special provision for preferential claims in the cases of lost turns or of discharge of probationers as in the case of the communal rotation method is not necessary here, since the principle of making the appointment from the community most disadvantageously situated at the time automatically produces an equitable representation.

Illustration.—(a) Distribution of members according to communities:—

Non-Brahman Hindus	...	...	...	...	15
Brahmans	...	...	...	...	30
Muhammadans	...	...	...	...	4
Anglo-Indians, Christians and Non-Asiatics of Indian domicile	...	...	...	...	5
Scheduled classes	...	...	...	...	1
					—
				Total	55
					—

(b) Distribution as it ought to be—

Non-Brahman Hindus	...	...	22-11/12
Brahmans	...	...	9-1/6
Muhammadans	...	...	9-1/6
Anglo-Indians, etc.	...	...	9-1/6
Scheduled classes	...	...	4-7/12
			—
		Total	55
			—

(c) Percentage of (a) to (b)—

Non-Brahman Hindus	...	...	65-5/11
Brahmans	...	...	327-3/11
Muhammadans	...	...	43-7/11
Anglo-Indians, etc.	...	...	54-6/11
Scheduled classes	...	...	21-9/11

A candidate belonging to the scheduled classes community will be entitled to the next appointment. If no candidate of that community is available, then a candidate belonging to the Muhammadan community will be entitled to appointment.

[3rd November 1933]

5. *Rule 8 (c).*—Since general rules apply save as otherwise provided in the special rules, this sub-rule will not prevent probationers from being given such training or instruction (including the holding of posts normally held by members of the corresponding subordinate service) as may be specifically provided for in the special rules.

The same general consideration applies to other definite provisions in these rules, e.g., the age-limit fixed in rule 5 (a) (ii).

6. *Rule 9.*—The rule appears somewhat involved as it has necessarily to cover all possible cases, but its actual working will be comparatively simple. Thus in the case of a probationer who shortly before the expiry of the prescribed period of probation sits for examination in certain tests which under the special rules have to be passed within the period of his probation, the Commission will be consulted as soon as the prescribed period of probation expires. It will be open to the appointing authority to discharge him, if the Commission's verdict is unfavourable, without waiting for the results of the examination. Three months from the expiry of the period of probation or one month from the date of publication of the results of the tests, whichever is later, has been provided as the maximum period within which the probationer may be discharged in this case. If he fails to pass the tests, he will of course be discharged under clause (ii) of sub-rule (b).

7. *Rule 11 (a).*—The rule provides for the confirmation of approved probationers in a service or class *in the category for which they were selected*, in order to avoid the administrative inconvenience of having to confirm a senior approved probationer in one category in a permanent vacancy in another category the duties of which may be dissimilar from those of the former category. Where more than one approved probationer is available for confirmation, the criterion for deciding the one to be confirmed will be seniority in the service or class, and not the date of completion of probation, since the latter method would unduly penalize a person who was unlucky enough to complete his probation late on account of illness or other unavoidable reason.

8. *Rule 11 (d).*—No rule has been framed for Provincial Services, corresponding to rule 27 of the Civil Services (Classification, Control and Appeal) Rules for All-India Services, prohibiting the appointment to a post borne on the cadre of a Provincial Service of a person who is not a member of such service. Hence a member of an All-India Service who is serving under the administrative control of the Local Government may be appointed to hold charge of a post borne on the cadre of a Provincial Service without his being appointed to that Provincial Service. Such officer remains a member of the All-India Service to which he belongs as provided for in rule 22 of the Civil Services (Classification, Control and Appeal) Rules, and nothing in the general or special rules governing the Provincial Service will apply to him.

3rd November 1933]

9. *Rule 12.*—Seniority in a service or class normally follows the date of first appointment as defined in definition (1) and modified by rule 8 (b); but special provision is made for determining the seniority of a person appointed to the service or class in a higher category. It will be necessary to maintain a seniority or service list of members of each service or class of a service, and the order of members in the list will remain unaffected by delay in completion of probation, special or early promotion to a higher category, and so on. Thus the service list may be entirely different from departmental lists, which, though not necessary, may be maintained on grounds of administrative convenience, and in which members are arranged according to the categories to which they happen to belong at the time.

II

In exercise of the powers conferred by rules 38 to 41 of the Civil Services (Classification, Control and Appeal) Rules, the Governor in Council and the Governor acting with Ministers are hereby pleased to make the following rule:—

Rule.

All rules in operation on the 30th September 1933, regulating the method of recruitment, the conditions of service, the pay and allowances and the pensions of any provincial service other than the Madras Boiler Service, the Madras Medical Service (General Branch) and the Madras Medical Service (Special Branch), which were made by the Local Government in exercise of the powers conferred by the Civil Services (Classification, Control and Appeal) Rules or which may be cancelled or modified by them in exercise of such powers, shall be deemed to be special rules for such service within the meaning of clause (28) of the definitions in the general rules.

THE MADRAS POLICE SERVICE.

Rules regulating recruitment, conditions of service, pay, allowances and pension.

In exercise of the powers conferred in rules 3 and 4 of the Civil Services (Governors' Provinces) Delegation Rules, 1926, the Governor in Council hereby makes the following rules to regulate the method of recruitment, conditions of service, pay, allowances and pension of the Madras Police Service hereinafter referred to as "the Service."

"Local Government" shall for the purpose of these rules mean the Governor in Council.

1. *Constitution.*—The Service shall consist of 47 Deputy Superintendents of Police including three Assistant Commissioners of Police in the Madras City Police,

[3rd November 1933]

2. *Recruitment.*—(a) Admission to the Service shall be to the ordinary grade and shall be either by direct recruitment or by promotion from the rank of Inspectors of the Madras Police Subordinate Service or by transfer of members of any other Madras Provincial Service:

Provided that

(i) When a vacancy has been filled by direct recruitment or by transfer of a member of any other Provincial Service, the next two vacancies shall be filled by promotion from the rank of Inspector of the Madras Police Subordinate Service and the next following vacancy shall be filled by direct recruitment or by transfer of a member of any other Provincial Service;

(ii) the proportion of promoted non-Asiatic and Anglo-Indian Inspectors to the other promoted Inspectors in the Service shall be to the nearest unit the same as the proportion of the cadre of non-Asiatic and Anglo-Indian Inspectors to the cadre of other Inspectors in the Madras Police Subordinate Service; and

(iii) not more than 15 per cent of the cadre may be British subjects of non-Asiatic domicile.

(b) The Local Government shall, after consulting the Madras Services Commission, select candidates for admission to the Service:

Provided that this sub-rule shall not apply to the appointment by the Local Government of an Inspector of the Madras Police Subordinate Service to hold temporarily a post included in the cadre of the Service for a period or periods not exceeding three months altogether in the case of each Inspector, but every such appointment together with the reasons therefor shall be reported without delay to the Madras Services Commission and an Inspector so appointed shall not be regarded as a candidate selected for admission to the Service.

(c) When a candidate for selection is or has been in Government service any information affecting his selection which the Local Government or any authority subordinate to the Local Government may have, shall be supplied to the Madras Services Commission on demand.

(d) Every candidate, for selection otherwise than by promotion from the Madras Police Subordinate Service for admission to the Service shall remit a fee of rupees fifteen into a Government treasury or into the Imperial Bank of India, Madras, or one of the branches thereof to the credit of the Government under the head "XXVI. Miscellaneous departments—Examination fees—Fees for examinations—Madras Services Commission" and shall send the treasury or bank receipt therefor with his application.

3. (a) Subject to the provisos to sub-rule (a) of rule 2, selection for admission to the Service by direct recruitment and by transfer from any other Provincial Service shall be so regulated as to secure, as near as may

3rd November 1933]

be, the distribution of membership of the service among the following communities in the proportion specified against each:—

Non-Brahman Hindus		<i>Five out of twelve.</i>
Brahmans		<i>Two out of twelve.</i>
Muhammadans		<i>Do.</i>
Anglo-Indians, Christians and non-Asiatics of Indian Domicile.		<i>Do.</i>
Other communities including depressed classes.		<i>One out of twelve.</i>

(b) Whenever a candidate has to be selected for admission to the Service either by direct recruitment or by transfer from any other Provincial Service, he shall be selected from that community which at the time of selection is most disadvantageously situated with reference to the proportion specified in sub-rule (a) and if no qualified and suitable candidate of such community is available, from the community next in the order of disadvantage.

If, at any stage, it is found that the disadvantage of two or more communities is equal, the Local Government shall decide from which of such communities the selection shall be made.

4. *Qualifications*.—No person shall be eligible for selection for admission to the Service unless he is

(a) a British subject or

(b) a subject of a State in India who has obtained the permission of the Local Government to apply for selection as a candidate for admission to the Service.

5. (a) No person shall be eligible for selection for admission to the Service by direct recruitment unless—

(i) he has attained the age of 21 and has not attained the age of 23 on the first day of August in the year in which selection for admission is made;

(ii) he is not less than 5 feet 5 inches in height;

(iii) he is not less than 32 inches round the chest on full expiration and the amount of his chest expansion is not less than 2 inches;

(iv) he is of sound health, good physique and active habits and free from any organic defect or bodily infirmity;

(v) he is of good character;

(vi) he is a graduate of any of the Universities mentioned in the annexure to these rules or a Barrister of England or Ireland or a member of the Faculty of Advocates of Scotland; and

(vii) he is, on selection for admission, able to satisfy a Medical Board in Madras as to his physique, fitness and capacity for active outdoor work.

[3rd November 1933]

(b) A candidate selected by transfer from any other Madras Provincial Service shall satisfy the conditions prescribed for officers appointed by direct recruitment in clauses (ii), (iii), (iv), (v) and (vii) of sub-rule (a).

6. *Probation and training.*—(a) A candidate, selected for admission to the Service, shall, from the date on which he joins duty as such, be on probation

(i) if recruited otherwise than by promotion from the Madras Police Subordinate Service for a total period of two years on duty;

(ii) if recruited by promotion from the Madras Police Subordinate Service either for a continuous period of one year on duty or a total period of two years on duty out of a continuous period of three years.

(b) Within the period of probation a candidate recruited otherwise than by promotion from the Madras Police Subordinate Service shall undergo—

(i) a course of training in the Provincial Training School, Vellore, for a minimum period of one year, and

(ii) an examination in each of the following subjects, viz.:—

(1) Law and departmental orders.

(2) Riding.

(3) Two of the following vernacular languages of the Presidency of Madras, one by the lower standard and one by the higher standard, namely, Tamil, Telugu, Malayalam, Kanarese, Hindustani, or with the special permission of the Inspector-General of Police, Oriya:

Provided that if a candidate's mother tongue is one of the above languages or if he has taken one such language for his University degree he shall be required to undergo the higher standard test in one other language only;

Provided further that if a candidate's mother tongue is one of the above languages and he has taken another language for his University degree he shall be required to undergo the higher standard test in a third language only.

(c) A candidate recruited otherwise than by promotion from the Madras Police Subordinate Service shall, on completion of the training prescribed in sub-rule (b), be posted to a district for practical training under a District Superintendent of Police.

(d) There shall be paid to a candidate on probation—

(i) if he is selected for admission by direct recruitment, a pay calculated at the rate of Rs. 250 a month in the first year and thereafter a pay calculated at the rate of Rs. 275 a month; and

(ii) if he is selected for admission otherwise than by direct recruitment, a pay calculated in the scale of pay admissible to a Deputy Superintendent of Police in the ordinary grade.

3rd November 1933]

7. (a) At any time before the end of the prescribed period of probation, the probation of a selected candidate may be terminated at the discretion of the Local Government and the candidate's services shall then be dispensed with or he shall be reverted to his permanent post as the case may be.

(b) If at the end of the prescribed period of probation—

(i) the Local Government does not consider the selected candidate suitable for appointment to the Service, or

(ii) the selected candidate, if recruited otherwise than by promotion from the Madras Police Subordinate Service, has not successfully undergone the courses of training or has not successfully passed the tests mentioned in sub-rule (b) of rule 6, the Local Government shall, by order, dispense with his services or revert him to his permanent post as the case may be. If no such order is issued by the Local Government within three months after the expiry of the candidate's period of probation under sub-rule (a) of rule 6, the candidate shall be deemed to have completed his period of probation satisfactorily.

8. *Appointment to the Service.*—A probationer who is declared by the Local Government or is deemed under sub-rule (b) of rule 7 to have completed his period of probation satisfactorily shall be appointed by the Local Government to be a member of the Service at the first opportunity and may, if a vacancy in the Service existed, be appointed with retrospective effect:

Provided that subject to the provisos to sub-rule (a) of rule 2 no probationer shall be appointed as a member of the Service before any other probationer who completed his probation satisfactorily at an earlier date.

9. *Seniority.*—(a) Members of the Service whether recruited direct or by transfer from another Madras Provincial Service or by promotion from the Madras Police Subordinate Service shall take rank according to the date on which they are appointed to the Service.

(b) If more than one probationer complete their probation satisfactorily on the same date, the seniority of such probationers shall be determined as follows, namely:—

(i) as between probationers selected for admission otherwise than by promotion from the Madras Police Subordinate Service by the number of marks gained by each in the examination of Law and departmental orders prescribed in sub-rule (b) of rule 6;

(ii) as between probationers selected for admission by promotion from the Madras Police Subordinate Service and probationers selected for admission otherwise, the former shall be considered to be the senior; and

(iii) as between probationers selected for admission by promotion from the Madras Police Subordinate Service as may be decided by the Local Government in each case.

10. *Pay.*—There shall be paid to a Deputy Superintendent of Police

(a) in the selection grade, a pay calculated at the rate of Rs. 800 a month; and

[3rd November 1933]

(b) in the ordinary grade, a pay calculated in the following scale, namely, Rs. 300—20—500—500—efficiency bar—20—600—600—20—700.

Provided that Khan Bahadur Muhammad Kalimullah Sahib Chida Bahadur, M.B.E., and M.R.Ry. Rao Bahadur N. H. Jagadisa Ayyar Avargal, so long as they hold the post of Deputy Superintendent of Police, shall be entitled to draw pay calculated at the rate of Rs. 440 a month rising by annual increments of Rs. 30 each to a maximum of Rs. 800.

11. *Special Pay*.—In addition to the pay specified in rule 10, there shall be paid to a Deputy Superintendent of Police while attached to C.I.D. a special pay calculated at the rate of Rs. 100 a month, and while attached to the office of the Inspector-General of Police or while posted to the charge of Koraput or Bhadrachalam subdivision, a special pay calculated at the rate of Rs. 75 a month.

12. *Grant for uniform, horse and saddlery*.—A candidate selected for admission shall, on selection, be given a free grant of Rs. 400 towards the cost of uniform and of Rs. 600 towards the purchase of horse and saddlery: provided that no candidate who is recruited by promotion from the rank of Inspector of the Madras Police Subordinate Service shall be entitled to these grants until he is appointed as a member of the Service. The grant towards the purchase of horse and saddlery shall not be utilized for the purchase or part-purchase of any other means of conveyance. These grants shall in no case be sanctioned more than once. In the case of a selected candidate's probation being terminated, the Local Government shall decide whether he should refund the grants. If within three years of his appointment to the Service a member resigns or is dismissed or removed from the Service he shall refund such portion of the grants as may be determined by the Local Government.

13. *Promotion*.—Promotion to the selection grade shall be made by the Local Government. Approved service of more than ordinary merit shall be essential for promotion to the selection grade and no member shall be entitled to promotion on the ground of seniority alone.

14. *Transfers and postings*.—Members of the Service, probationers and officers officiating in the Service shall be liable to transfer to any part of the Presidency of Madras for the performance of duties for which the service is constituted.

Postings and repostings to, and transfers to and from, the Madras City Police, of members of the Service, probationers and officers officiating in the service, shall be made by the Local Government. Transfers of such members, probationers and officers from one subdivision to another in the City of Madras shall be made by the Commissioner of Police, Madras.

Postings and repostings of members of the Service, probationers and officers officiating in the Service to subdivisions in the mufassal and their transfer from one such subdivision to another, shall be made by the Inspector-General of Police.

3rd November 1933]

15. *Resignation.*—No member of the Service and no probationer or officer officiating in the Service shall resign the Service without the previous sanction of the Local Government.

16. *Leave, leave salary, pension and other conditions of service.*—The Fundamental Rules and the Pension Rules issued from time to time under the authority of the Government of Madras shall govern the members of the Service in the matter of leave, leave salary, pension and other conditions of service.

ANNEXURE (referred to in rule 5).

Indian Universities.

The Universities of Allahabad, Bombay, Calcutta, Dacca, Delhi, Lucknow, Madras, Nagpur, Patna, the Punjab and Rangoon.

The Aligarh Muslim University.

The Andhra University.

The Annamalai University.

The Benares Hindu University.

The Mysore University.

The Osmania University.

English and Welsh Universities.

The Universities of Birmingham, Bristol, Cambridge, Durham, Leeds, Liverpool, London, Manchester, Oxford, Sheffield and Wales.

Scottish Universities.

The Universities of Aberdeen, Edinburgh, Glasgow and St. Andrews.

Irish Universities.

The University of Dublin (Trinity College) and the Queen's University of Belfast.

APPENDIX II.

[Vide answer to question No. 307 asked by Mr. M. Devadasan at the meeting of the Legislative Council, held on the 3rd November 1933, page 405 supra.]

Copy of a memorial from the Adi-Dravida residents of Valliyoor, Nangunery taluk, Tinnevely district, dated 25th June 1933.

That we, the undersigned, most humbly bring to your kind notice the following facts for your sympathetic consideration and prompt and favourable action:—

Recently a panchayat court was ordered to be constituted for the two revenue villages of Vadakku and Thekku Valliyoor. A considerable section of the population of the villages belongs to the class of